

# Notice of Allowability

Application No.

10/782,618

Examiner

Sherry L. Estremsky

Applicant(s)

SUDOU, NORIYUKI

Art Unit

3681

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed September 21, 2005.
2. ☒ The allowed claim(s) is/are 2,4 and 7-22.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### ***Drawings***

1. Figures 5A-5D should be designated by a legend such as --Prior Art-- because only that which is old is illustrated ("show a differential apparatus according to the related art", page 6, lines 12-15). See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. The objection to the drawings will not be held in abeyance.

### ***Allowable Subject Matter***

2. Claims 2, 4, and 7-22 are allowed.
3. The following is an examiner's statement of reasons for allowance:

No reference nor combination of references was found which teaches a differential including a long pinion shaft and two short pinion shafts connected to the long pinion shaft at right angles thereto, wherein the long pinion has a hole and the axial ends of the short pinion shafts have projections inserted in the hole so that the long pinion shaft and the short pinion shafts are connected to each other, as required by claim 7.

No reference nor combination of references was found which teaches a differential including a long pinion shaft and two short pinion shafts connected to the long pinion shaft at right angles thereto, wherein the long pinion is formed with a pair of grooves including bottom surfaces, and circular shaped axial end surfaces of the short pinion shafts are contacted by the bottom surfaces of the pair of grooves, as required by claim 9.

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No reference nor combination of references was found which teaches a differential including a long pinion shaft, two identically configured short pinion shafts, a junction, and two fixing members, wherein one side of the first short pinion is connected to the long pinion shaft and one side of the second short pinion shaft is connected to the long pinion shaft at the junction, and the fixing members unrotatably fix the short pinion shafts to a rotary member at the other sides of the pinion shafts, as required by claim 21.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U. S. Patent Application Publication 2004/0157696 (Saito et al.) August 2004 - discloses a differential with a long pinion shaft, two identically configured short pinion shafts, and two fixing members unrotatably fixing the two short pinion shafts to a rotary member. The short pinion shafts are not disclosed as being connected to the long pinion shaft.


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherry L. Estremsky whose telephone number is (571) 272-7090. The examiner can normally be reached on Tuesday and Friday from 7:30 a.m. to 6:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor can be reached on (571) 272-7095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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SHERRY ESTREMSKY  
PRIMARY EXAMINER  
AV3681 9-30-05